
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Stephanie N. Everett

Write the full name of each plaintiff.

____ CV _____

(Include case number if one has been assigned)

-against-

New York City Department of Education; Katina

Do you want a jury trial?

☒ Yes ☐ No

Yesnick, Assistant Principal of P.S./M.S. 31; and

Angela Liso, teacher at P.S./M.S. 31

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Stephanie	N.	Everett
First Name	Middle Initial	Last Name
1113 East 215th Street		
Street Address		
Bronx, Bronx	NY	10469
County, City	State	Zip Code
(347) 803-0903	stef850@gmail.com	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1:	New York City Department of Education		
	Name		
	c/o Corporation Counsel for the City of New York - 100 Church Street		
	Address where defendant may be served		
	New York, New York	NY	10007
	County, City	State	Zip Code
Defendant 2:	Katina Yesnick, Assistant Principal P.S./M.S. 31		
	Name		
	250 East 156th Street		
	Address where defendant may be served		
	Bronx, Bronx	NY	10451
	County, City	State	Zip Code

Defendant 3:

Angela Liso, teacher

Name

250 East 156th Street

Address where defendant may be served

Bronx, BronxNY10451

County, City

State

Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:
P.S./M.S. 31 (now at P.S. 63 since September 2020)

Name

250 East 156th Street

Address

Bronx, BronxNY10451

County, City

State

Zip Code

III. CAUSE OF ACTION**A. Federal Claims**

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☒ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☒ race: African American
- ☐ color: _____
- ☐ religion: _____
- ☐ sex: _____
- ☐ national origin: _____

- ☐ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: _____

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☒ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☐ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☒ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☒ other (specify): gave me unwarranted disciplinary letter, excessed me from PS 31

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

Please see the attached addendum.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? January 6, 2021

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? July 28, 2021

When did you receive the Notice? August 3, 2021

☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

☐ direct the defendant to hire me

☐ direct the defendant to re-employ me

☐ direct the defendant to promote me

☐ direct the defendant to reasonably accommodate my religion

☐ direct the defendant to reasonably accommodate my disability

☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

remove disciplinary letter and poor observations from my file

emotional distress damages and legal consultation fees

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>8/17/2021</u>		<u>Stephanie Everett</u>	
Dated		Plaintiff's Signature	
<u>Stephanie</u>	<u>N.</u>	<u>Everett</u>	
First Name	Middle Initial	Last Name	
<u>1113 East 215th Street</u>			
Street Address			
<u>Bronx, Bronx</u>	<u>NY</u>	<u>10469</u>	
County, City	State	Zip Code	
<u>(347) 803-0903</u>	<u>stef850@gmail.com</u>		
Telephone Number	Email Address (if available)		

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Addendum to Federal Complaint for Stephanie Everett @ 8/15/21

- 1.) I have been teaching as an elementary school teacher for the New York City Department of Education (NYCDOE) since September 2017.
- 2.) I am of black race.
- 3.) I was employed as a first grade teacher for PS/MS 31, a District 7 school in the Bronx, NY, within the NYCDOE, from September 2017 to late August 2020.
- 4.) I was excessed from PS/MS 31 in the summer of 2020, and found a kindergarten teacher position at PS 63 in the Bronx, NY.
- 5.) I presently teach at PS 63 in the Bronx, NY since September 2020, since I was excessed from PS/MS 31.
- 6.) Katina Yesnick is the Assistant Principal (AP) of the elementary school for PS/MS 31. She is white/Caucasian.
- 7.) During the time I was a teacher at PS/MS 31, I received Effective as an overall rating based on Advance Reports in 2017-2018 and 2018-2019. I am also a two-time recipient of the Teachers of Tomorrow award for both the 2017-2018 and 2018-2019 school years.
- 8.) However, during the 2019-2020 school year, I received negative ratings for my observation reports from AP Yesnick, including a rating of ineffective as some of my scores, even though I have never received an ineffective as a rating during the previous years I worked at the school. I did not receive a final rating that year due to the pandemic, but was excessed from the school at the end of the 2019-2020 school year.
- 9.) I believe that I was discriminated against by AP Yesnick in the form of negative observation ratings and an unjustified disciplinary letter in my file (falsely stating I was not present at a professional development session), because of my race and AP Yesnick's close relationship with Angela Liso, a white first grade teacher at the school.
- 10.) AP Yesnick and Angela Liso are both Caucasian, and I am black of Caribbean descent.
- 11.) On Wednesday, March 13, 2019, at 8:05 a.m. at a math workshop held at the P.S. 179 school in the Bronx, AP Yesnick and Ms. Liso walked into the P.S. 179 library where the workshop was being held. By this time, I was already at the workshop. During this time, AP Yesnick and Ms. Liso both sat next to each other, completely ignoring my presence as they talked with each other.

- 12.) On March 13, 2019, AP Yesnick and Ms. Liso demonstrated discrimination against women of color after the workshop ended. This occurred when they falsely claimed that the kindergarten-2nd grade literacy coach Ms. Purvis (who is also Black) “was useless and doesn’t know what she is doing” to Ms. Jennifer Kneeland. Ms. Kneeland is a white literacy coach who works at P.S. 179. This conversation happened in front of me.
- 13.) Ms. Jennifer Kneeland, a former teacher who used to work with Ms. Yesnick and Ms. Liso at P.S. 31 and now works as a literacy coach for P.S. 179, is also Caucasian. During this time, AP Yesnick and Ms. Liso told Ms. Kneeland that they wanted her to be their school’s literacy coach, and would try to get her in for this position.
- 14.) On December 3, 2019, I met with AP Yesnick to discuss my first informal observation, which she conducted on November 22, 2019. At this December 3, 2019, meeting, AP Yesnick disregarded my expertise as an educator, and compared me to the white teacher Ms. Liso by saying the following statement, “maybe teaching is not for you, and you’re lucky you have someone, poor Ms. Liso has no one, she feels so overwhelmed, she had the high class last year, but this year Ms. Liso has the Ell’s (English language learners).”
- 15.) During the December 3, 2019, meeting with AP Yesnick about my observation, AP Yesnick not only disregarded my contributions as a general education teacher for an ICT classroom and an educator as a whole, but also falsely stated that a teacher candidate who was supposed to work with me, who interviewed to fill for the special education teacher position for my classroom after Ms. Flaherty quit, did not have the right qualifications for the position. This is despite the fact that this teacher candidate, a Latin woman of Caribbean descent, managed the class and executed the lesson efficiently, when she came to the school on November 26, 2019, two days before the Thanksgiving holiday, but AP Yesnick refused to hire her.
- 16.) AP Yesnick instead decided to wait until January 31, 2020, two months after, to have another special education teacher from another classroom in the school, work with me in the ICT team teaching setting. The special education teacher was Sara Hanauer, who is of Orthodox Jewish descent, and a friend of Ms. Liso.
- 17.) AP Yesnick would only talk to Ms. Hanauer and not with me when she was assigned as my coteacher. I would not be aware of a situation involving a student until after it was already discussed between AP Yesnick and Ms. Hanauer. Due to my race, Ms. Hanauer also disregarded my teaching skills and threw a behavior checklist that I previously used in the classroom in the garbage, and told me in an insulting fashion on January 31, 2020, “Since I am here, this is the best read aloud lesson these kids have ever had.”

- 18.) Similar to AP Yesnick and Ms. Liso, Ms. Hanauer also discriminated against Ms. Purvis, who is black. Ms. Hanauer said that “Ms. Purvis does not know what she is doing”, and walked out of the classroom, when Ms. Purvis was modeling a literacy lesson for both of us, so we could continue to grow in our teaching practices. Ms. Hanauer said that repeatedly from January 31, 2020, until the end of the school year.
- 19.) Several days after the December 3, 2019, meeting with AP Yesnick, I received a copy of my literacy lesson observation that was done by AP Yesnick, which included scores of ineffective in certain categories. AP Yesnick not only made me look like an incompetent teacher, but also compared me unfavorably to Ms. Liso, a Caucasian teacher who should have never been mentioned in this discussion.
- 20.) On Friday, December 20, 2019, I received an unjustified disciplinary letter from AP Yesnick about not attending a CTLE professional development session, the same day I refused a Christmas gift from Ms. Liso, because of a snapchat incident, where she videotaped me without my permission, and other situations of disrespect towards me, where Ms. Liso reacted by cursing and insulting me.
- 21.) AP Yesnick’s disciplinary letter falsely accused me of not going to a CTLE professional development session on December 9, 2019, and that instead I decided to stay in my classroom to talk to my union representative. However, according to the December 9, 2019, CTLE agenda that day, the meeting was supposed to be held in room 118, my classroom, and I should not have been written up with a disciplinary letter that day.
- 22.) On January 5, 2020, I filed an OEO complaint with the NYCDOE against AP Yesnick and Ms. Liso.
- 23.) On Monday, January 27, 2020, at 2:40 pm, I met with AP Yesnick to discuss my second informal observation, which she had conducted on January 9, 2020. During this meeting, I informed AP Yesnick that I have been continuing to plan after school to grow in my teaching. This is when she pretended to not know who I planned with and began to show a confused look, asking “who did you plan with?” This is despite the fact that she saw the literacy coach Ms. Purvis and I planning together a few days prior, in Ms. Purvis’s office. The meeting held on January 27, 2020, demonstrated AP Yesnick’s discrimination towards women of color by not only disregarding Ms. Purvis’s skills as a literacy coach with the statement “who did you plan with?” but also my work ethic as an educator by giving me unfavorable ratings on this literacy lesson observation as well.
- 24.) At a schoolwide videoconference staff meeting held on June 1, 2020, I learned that AP Yesnick had deliberately excluded me from a grade-based meeting in late May 2020, and discussed the thematic unit “using your imagination”, with the other first grade teachers,

including mentioning Ms. Liso's name. I believe I was excluded due to my race, even though it was a project that the entire first grade had participated in.

- 25.) During the June 1, 2020, meeting, AP Yesnick continued to show discrimination against women of color, when she failed to acknowledge my presence at an important school literacy event called "sip and chat", and instead falsely stated that Madeline Bodnar, the special education teacher for a second grade classroom, did a great job planning the event.
- 26.) Ms. Bodnar, who is Caucasian and a friend of AP Yesnick and Ms. Liso, was originally not going to attend the literacy event, and did not prepare for the event. All of the preparations and planning for the sip and chat session were done by the school literacy coach Ms. Purvis, who is a black woman.
- 27.) In addition, Ms. Bodnar took full credit for work that was done by an African American colleague Ms. Purvis, even though she was fully aware that she did not do any work pertaining to the sip and chat event.
- 28.) Ms. Bodnar is another employee at the school, who also has previously disregarded and degraded the expertise of Ms. Purvis.
- 29.) Based on the events above, I believe I was racially discriminated against at my prior school. As a remedy, I am requesting removal of the poorly rated observations dated November 22, 2019, and January 9, 2020, from both my personnel file and the Advance NYCDOE website, as well as the removal of the unjustified disciplinary letter and rebuttal letter from my file, monetary damages, and any other relief appropriate for this situation.
- 30.) Since I filed the SDHR complaint on or about January 6, 2021, I have suffered additional retaliation by having my tenure extended at my new school, PS 63, at the end of the 2020-21 school year. I was told by my current principal that my rating at PS 31 in 2019-20 caused him to extend my tenure.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Stephanie Everett**
1113 East 215th Street
Bronx, NY 10469

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004



*On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

16G-2021-00819

Holly M. Shabazz,
State & Local Program Manager

(929) 506-5316

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

Charging party wishes to pursue matter in Federal District Court.

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



July 28, 2021

Enclosures(s)

Judy A. Keenan,
District Director

(Date Issued)

cc: **CITY OF NEW YORK, DEPARTMENT OF EDU**
Office of the General Counsel
52 Chambers Street, Room 308
New York, NY 10007

Glass Krakower, Esq.
Glass Harlow & Hogrogian, LLP

New York State Division of Human Rights Employment Complaint Form

Although workers, interns and volunteers of all ages are protected, you must be 18 years or older to file a complaint. A parent, guardian or other person having legal authority to act in the minor's interests must file on behalf of a person under the age of 18.

1. Your contact information:			
First Name <u>Stephanie</u>		Middle Initial/Name <u>N</u>	
Last Name <u>Everett</u>			
Street Address/ PO Box <u>1113 East 215th Street</u>		Apt or Floor #:	
City <u>Bronx</u>		State <u>NY</u>	Zip Code <u>10469</u>
If you are filing on behalf of another, provide the name of that person:		Date of birth:	Relationship:
2. Regulated Areas: Check the area where the discrimination occurred: (If you wish to file against multiple entities, for example employer and temp agency, please file a separate complaint against each.)			
<input checked="" type="checkbox"/> Employment (including paid internship) <input type="checkbox"/> Internship (unpaid) <input type="checkbox"/> Contract Work (independent contractor, or work for a contractor) <input type="checkbox"/> Volunteer Position		<input type="checkbox"/> by a Labor Organization <input type="checkbox"/> Apprentice Training <input type="checkbox"/> by a Temp or Employment Agency <input type="checkbox"/> Licensing	
3. You are filing a complaint against:			
Employer, Worksite, Agency or Union Name <u>NYC Department of Education-P.S./M.S. 31</u>			
Street Address/ PO Box <u>250 East 156th Street</u>			
City <u>Bronx</u>		State <u>NY</u>	Zip Code <u>10451</u>
Telephone Number: <u>(718)-292-4397</u>			
In what county or borough did the violation take place? <u>Bronx</u>			
Individual people who discriminated against you:			
Name: <u>Katina Yesnick</u>		Title: <u>Assistant Principal</u>	
Name: <u>Angela Liso</u>		Title: <u>First Grade Teacher</u>	
If you need more space, please list them on a separate piece of paper.			
4. Date of alleged discrimination (must be within one year of filing):			
The most recent act of discrimination happened on: <u>6</u> <u>1</u> <u>2020</u> month day year			
5. For employment and internships, how many employees does this company have?			
<input type="checkbox"/> 1-14 <input type="checkbox"/> 15-19 <input checked="" type="checkbox"/> 20 or more <input type="checkbox"/> Don't know			

6. Are you currently working for this company?			
<input type="checkbox"/> Yes. Date of hire: _____ <div style="text-align: center;">month day year</div>			What is your position?
<input checked="" type="checkbox"/> No. Last day of work: 8 12 2020 <div style="text-align: center;">month day year</div>			What was your position? First Grade Teacher
<input type="checkbox"/> I was never hired. Date of application: _____ <div style="text-align: center;">month day year</div>			What position did you apply for?
7. Basis of alleged discrimination:			
Check ONLY the boxes that you believe were the reasons for discrimination, and fill in specifics only for those reasons. Please look at page 2 of "Instructions" for an explanation of each type of discrimination.			
<input type="checkbox"/> Age: Date of Birth: _____		<input type="checkbox"/> Familial Status:	
<input type="checkbox"/> Arrest Record		<input type="checkbox"/> Military Status: <input type="checkbox"/> Active Duty <input type="checkbox"/> Reserves <input type="checkbox"/> Veteran	
<input type="checkbox"/> Conviction Record		<input type="checkbox"/> Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	
<input type="checkbox"/> Creed/ Religion: Please specify: _____		<input type="checkbox"/> National Origin: Please specify: _____	
<input type="checkbox"/> Disability: Please specify: _____		<input type="checkbox"/> Predisposing Genetic Characteristic:	
<input type="checkbox"/> Domestic Violence Victim Status		<input type="checkbox"/> Pregnancy-Related Condition: Please specify: _____	
<input type="checkbox"/> Gender Identity or Expression, Including the Status of Being Transgender		<input type="checkbox"/> Sexual Orientation: Please specify: _____	
<input checked="" type="checkbox"/> Race/Color or Ethnicity: Please specify: <u>African American</u> <input type="checkbox"/> Trait historically associated with race such as hair texture or hairstyle		<input type="checkbox"/> Sex: Please specify: _____ Specify if the discrimination involved: <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment	
<input type="checkbox"/> Use of Guide Dog, Hearing Dog, or Service Dog			
If you believe you were treated differently after you filed or helped someone file a discrimination complaint, participated as a witness to a discrimination complaint, or opposed or reported discrimination due to any category above, check below:			
<input type="checkbox"/> Retaliation: How did you oppose discrimination: _____			
If you believe you were discriminated against because of your relationship or association with a member or members of a protected category listed above, indicate the relevant category(ies) above, and check below.			
<input type="checkbox"/> Relationship or association			

8. Acts of alleged discrimination: What did the person/company you are complaining against do? Check all that apply			
<input type="checkbox"/> Refused to hire me	<input checked="" type="checkbox"/> Gave me a disciplinary notice or negative performance review	<input type="checkbox"/> Denied my request for an accommodation for my disability, or pregnancy-related condition	<input type="checkbox"/> Sexual harassment
<input type="checkbox"/> Fired me/laid me off	<input type="checkbox"/> Suspended me	<input type="checkbox"/> Denied me an accommodation for domestic violence	<input checked="" type="checkbox"/> Harassed or intimidated me on any basis indicated above
<input type="checkbox"/> Demoted me	<input type="checkbox"/> Did not call back after lay-off	<input type="checkbox"/> Denied me an accommodation for my religious practices	<input type="checkbox"/> Denied services or treated differently by a temp or employment agency
<input type="checkbox"/> Denied me promotion/ pay raise	<input type="checkbox"/> Paid me a lower salary than other co-workers doing the same job	<input type="checkbox"/> Denied me leave time or other benefits	<input type="checkbox"/> Denied a license by a licensing agency
<input type="checkbox"/> Denied me training	<input type="checkbox"/> Gave me different or worse job duties than other workers doing the same job	<input type="checkbox"/> Discriminatory advertisement or inquiry or job application	<input type="checkbox"/> Other:

9. Description of alleged discrimination

Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and explain why you think it was discriminatory. TYPE OR PRINT CLEARLY.

Please look at the attached documents.

If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. DO NOT WRITE IN THE MARGINS OR ON THE BACK OF THIS FORM.

*Stephanie Everett***Notarization of Complaint**

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment). This complaint will protect my rights under federal law.

I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

PLEASE INITIAL S.E.

I swear under penalty of perjury that I am the complainant herein; that I have read (or have had read to me) the foregoing complaint and know the contents of this complaint; and that the foregoing is true and correct, based on my current knowledge, information, and belief.

Stephanie Everett

Sign your full legal name

Subscribed and sworn before me

This 6th day of January, 2021

Rachel Badal
Signature of Notary Public

County: RACHEL BADAL Commission expires:

Notary Public, State of New York

No. 018A6087097

Qualified in Kings County

Commission Expires Feb. 10, 2023

Please note: Once this form is completed, notarized, and returned to the New York State Division of Human Rights, it becomes a legal document and an official complaint with the Division.

Additional Information, Page 1: *This page is for the Division's records and will not be sent to the company or person(s) whom you are filing against.*

1. Contact information

My primary telephone number: (347)-803-0903

My secondary telephone number: (718)-655-4471

My date of birth: 11/03/1985

(Required) My email address: stef850@gmail.com

The Division uses email, whenever possible, to communicate with the parties to complaints. This avoids delays and lost mail, and increases the efficiency of Division case processing. Therefore, you are required to provide an email address, if you have one, and to keep us advised of any change of your email address. The Division will not use your email address for any non-case related matters.

Contact person (Someone who does not live with you but will know how to contact you if we cannot reach you)

Contact person's name: Alice Tucker

Contact person's telephone number: (347)-920-0725

Contact person's address: 1123 East 215th Street, Bronx, NY 10469

Contact person's email address: Does not use her email, phone number is a better and faster way of contact.

Contact person's relationship to me: Cousin

2. Special needs: I am in need of:

- ☐ Interpretation (if so what language?): _____
- ☐ Accommodations for a disability: _____
- ☐ Privacy. Keep my contact information confidential as I am a victim of domestic violence
- ☐ Other: none

3. Settlement / Conciliation: To settle this complaint, I would accept:

(Explain what you want to happen as a result of this complaint. Do you want a letter of apology, job offer, return to the job, an end to the harassment, compensation, etc.?)

Removal of both negative observations from the Advance NYCDOE website and my file, removal of disciplinary letter and rebuttal letter from my file, and any other solution appropriate for this situation.

4. Witnesses (information about witnesses may be shared with the parties as necessary for the investigation) The following people saw or heard the discrimination and can act as witnesses:

Name: _____
 Telephone Number: _____
 What did this person witness?

Title: _____
 Relationship to me: _____

Name: _____
 Telephone Number: _____
 What did this person witness?

Title: _____
 Relationship to me: _____

Additional Information, Page Two

5. Did you report or complain about the discrimination to someone else? ☐ Yes ☐ No

If yes, how exactly did you complain about the discrimination? (To whom did you complain?)

Date you reported or complained about discrimination: month day year

What happened after you complained?

If you did not report the discrimination, please explain why:

6. Were other people treated the same as you? How?

(For example, people who were harassed by the same manager, disciplined or terminated for the same reasons, did not receive an accommodation for the same reasons, etc.).

If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, religions, etc.

7. Were other people treated better than you? How?

(For example, people who were not fired for doing the same thing you were fired for, people who were doing the same job but making more money, etc.).

If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, religions, etc.

**Addendum to SDHR complaint/ Description of alleged discrimination for Stephanie Everett
for 12/28/20**

- 1.) I have been teaching as an elementary school teacher for the New York City Department of Education (NYCDOE) since September 2017. I am of black race.
- 2.) I was a teacher for PS/MS 31, a District 7 school in the Bronx, NY, from September 2017 to late August 2020, when I was excessed from the school. I presently teach at PS 63 in the Bronx, NY, since I was excessed from PS/MS 31.
- 3.) Katina Yesnick is the assistant principal (AP) of the elementary school for PS/MS 31. She is white/Caucasian.
- 4.) During the time I was a teacher at PS/MS 31, I received effective as an overall rating as shown with the Advance Reports and I am also a two-time recipient of the Teachers of Tomorrow award for both the 2017-2018 and 2018-2019 school years.
- 5.) However, during the 2019-2020 school year I received negative ratings for my observation reports from AP Yesnick, including ineffective as some of my scores, even though I have never received an ineffective as a rating during the previous years I worked at the school.
- 6.) I believe that I am being retaliated against by AP Yesnick in the form of a negative observation rating and an unjustified disciplinary letter in my file (falsely stating I was not present at a professional development session), because of my race and her close relationship with Angela Liso, a white first grade teacher at the school. Principal Yesnick and Angela Liso are both Caucasian, and I am black of Caribbean descent. The following statements prove this statement.
- 7.) On Wednesday, March 13, 2019 at 8:05 a.m. at a math workshop held at P.S. 179 a school in the Bronx, AP Yesnick and Ms. Liso walked into the P.S. 179 library where the workshop was being held. By this time, I was already at the workshop. During this time, AP Yesnick and Ms. Liso both sat next to each other, completely ignoring my presence as they talked to each other for 30 minutes. It was not until they heard from a staff member at P.S. 179 that the Superintendent would be visiting the workshop, that they decided to talk to me, which ended up being 5 minutes after the Superintendent arrived. The District 7 superintendent is Rafael Alvarez. This was not the only incident of disrespect towards women of color that Angela Liso and AP Yesnick exhibited on March 13, 2019. They both exhibited this trait after the workshop ended, when they falsely claimed that "Ms. Purvis is useless and doesn't know what she is doing," to Ms. Jennifer Kneeland, a former teacher who used to work with them at P.S. 31 and now works as a literacy coach for P.S. 179. Ms. Purvis is a black woman, and the elementary school literacy coach for P.S. 31, and has worked in the New York City Department of Education for over twenty years. In

addition to both insulting Ms. Purvis, Ms. Liso and Ms. Yesnick told Ms. Kneeland that they wanted her to be their school's literacy coach, and would try to get her in for this position. Ms. Jennifer Kneeland is also Caucasian descent like Ms. Liso and Ms. Yesnick.

- 8.) On December 3, 2019, I met with AP Yesnick to discuss my first informal observation, which she conducted on November 22, 2019. At this December 3rd meeting, AP Yesnick told me, "maybe teaching is not for you, and you're lucky you have someone, poor Ms. Liso has no one, she feels so overwhelmed, she had the high class last year, but this year Ms. Liso has the Ell's (English language learners)." This was said to me despite the fact that myself and Ms. Amy Alfortish were working in an ICT classroom, where many of the children have severe behavioral and violent issues. At this time, there was no special education teacher. For an ICT classroom, it is a mandated requirement to have a special education teacher. Ms. Alfortish who is an ATR, works in schools where she is needed, and was only going to be there until the end of January 2020. This means that I would be by myself without a second teacher in the classroom, who was also certified in special education. This is illegal.
- 9.) In addition, AP Yesnick claimed that Ms. Liso felt overwhelmed; however, per Ms. Liso's request had English language learners removed from her classroom and placed into another class. The Spanish speaking children who are all students of color and Latin and Caribbean descent were BF, DA, and LCR. The removal of these children further proves the lack of respect Ms. Liso and AP Yesnick have towards people of color. This is because not only were children of color and of Latin and Caribbean descent, compared to children with severe and violent behavioral needs, but they were also discarded and placed in another classroom without no real reason, other than the fact that Ms. Liso did not like working with these kinds of children.
- 10.) During the December 3rd meeting, AP Yesnick not only disregarded my contributions as a general education teacher for an ICT classroom and an educator as a whole, but also falsely stated that a teacher candidate, who interviewed to fill for the special education teacher position for my classroom, did not have the right qualifications. This is despite the fact, that this teacher managed the class and executed the lesson efficiently, when she came to the school on November 26, 2019 two days before the Thanksgiving holiday. The teacher candidate was a Latin woman of Caribbean descent. AP Yesnick instead decided to wait until January 31, 2020 two months after, to have another special education teacher from another classroom in the school, work with me in the ICT setting. The special education teacher is Sara Hanauer. She is of Orthodox Jewish descent, and a friend of Ms. Liso. Ms. Hanauer showed me absolutely no respect when she entered the classroom I was working in, told me statements such as "since I am here this is the best read aloud lesson these kids have ever had," and without my permission put a behavior checklist I had in the garbage. The checklist was for the children with severe

behavioral and violent issues. Whenever there was an issue with a student, I was never involved in the discussion. AP Yesnick would only talk to Sara Hanauer and vice versa. I would not be aware of the situation until after it was already discussed between AP Yesnick and Ms. Hanauer. Finally, AP Yesnick had Ms. Hanauer working with these children, even though she was someone who did not encourage the students, especially some of the children who were great readers, to reach their full potential, and instead gave higher level readers that were in the first grade classroom, the same material to practice as the lower level readers. The materials were pre-kindergarten and kindergarten sight word activities, and the children are all students of color. This would have been prevented if the teacher candidate from the November 26th interview would have been hired, since she was more than qualified for this position, and being a woman of color herself genuinely showed that she cared about the children and working with me as a fellow colleague. Lastly, Ms. Hanauer also disrespected Ms. Purvis, who I previously stated is African American, by walking out of the classroom, when Ms. Purvis was modeling a literacy lesson for us, so we could continue to grow in our teaching practices.

- 11.) Several days after the December 3, 2019 meeting, I received a copy of my observation including scores of ineffective in certain categories, even though I have never received scores of ineffective in the previous two years I have worked at the school. AP Yesnick not only made me look like an incompetent teacher, but gave me a score that went completely against the lesson I taught. In addition, she compared me unfavorably to Ms. Liso, a Caucasian teacher who should have never been mentioned in this discussion.
- 12.) On Friday, December 20, 2019, I received an unjustified disciplinary letter from AP Yesnick, which falsely accused me of not going to a CTLE professional development session on December 9, 2019, and that instead I decided to stay in my classroom to talk to my union representative. According to the December 9th CTLE agenda, which I received via email on December 2, 2019, the meeting was supposed to be held in room 118, my room. If I was told that the CTLE session would no longer be held in my room, I would have attended, like I have always done in previous sessions. CTLE is where professional development workshops are held for teachers. AP Yesnick designated which rooms these sessions will be held. For this day, according to the agenda, CTLE was going to involve planning instead. AP Yesnick at no point in time told me about the room change, and waited until almost the session was over, to inform me that the session was being held in a different location.
- 13.) AP Yesnick gave me the December 20, 2019 disciplinary letter on the same day I refused a Christmas gift from Ms. Liso, because of a snapchat incident and other situations of disrespect, and where Ms. Liso reacted by cursing and insulting me. This is perfectly shown with Angela Liso not being mentioned in the disciplinary letter, even though she

was one of the first grade teachers. In addition, when one compares the date of the disciplinary letter, with the day of the statement I made against Ms. Liso, where I describe the volatile exchange between Ms. Liso and myself, both dates match. Lastly, the fact that the CTLE agenda, for the December 9th incident described in the false disciplinary letter, clearly indicates that the CTLE session was supposed to be held in my classroom, means that I did nothing wrong, further proving that the real reason I was given this letter was because I refused to accept Angela Liso's gift.

- 14.) On Monday, January 27, 2020 at 2:40 p.m., I met with AP Yesnick to discuss my second informal observation, which she conducted January 9, 2020. During this meeting, I informed AP Yesnick that I have been continuing to plan after school to grow in my teaching. This is where she pretended to not know who I planned with and began to show a confused look, asking "who did you plan with?" This is despite the fact that she saw Ms. Purvis and I planning together a few days prior, in Ms. Purvis's office. Ms. Purvis is the literacy coach for the school and someone I have been planning literacy lessons with since I first taught at P.S./M.S. 31. Ms. Purvis is also black for whom both Angela Liso and Katina Yesnick do not show respect.
- 15.) On March 19, 2020, AP Yesnick ignored and disrespected me, when I went to the main office to obtain a schedule for online remote learning due to the coronavirus pandemic. During this time, I consistently asked her for the schedule, to which she continued to look at her cell phone, despite her hearing me ask her for the schedule three times. I decided to ask one of the elementary teachers who had finished a phone call with a parent, and ask her if she saw the schedule. When I asked one of the other teachers, this is when AP Yesnick asked the teacher for the schedule, and stood far away from me as she looked downward and annoyed as she gave me the paper. If I did not ask one of the elementary teachers, AP Yesnick would have never given me the schedule, she would have continued to look at her cell phone and not acknowledge my presence, even though I was asking for an important item, since without this online schedule I would not be able to plan my instruction layout for remote learning, so I could give it to the parents of my students.
- 16.) At a schoolwide videoconference staff meeting held on June 1, 2020, I learned that AP Yesnick had deliberately excluded me from a grade-based meeting in late May 2020, and discussed the thematic unit "using your imagination", with the other first grade teachers, including mentioning Ms. Liso's name during the June 1st staff meeting, even though it was a project that the entire first grade had participated in. I should have been notified of the meeting, especially since I am part of the first-grade team. I was also excluded from another meeting that happened on December 9, 2019, which I explained previously above.

- 17.) During the June 1, 2020 meeting, AP Yesnick also failed to acknowledge my presence at an important school literacy event called “sip and chat”, and instead falsely stated that Madeline Bodnar, the special education teacher for a second grade classroom, did a great job planning the event. This was despite the fact that Madeline Bodnar, who is Caucasian and a friend of AP Yesnick, and Ms. Liso was originally not going to attend, and did not prepare for the event. All of the preparations and planning for the sip and chat session were done by the school literacy coach Ms. Purvis, who is a black woman. AP Yesnick did not mention me at any point in time during the June 1st meeting that I was there to support the school’s literacy coach, even though she not only saw me there at the event, but also saw my name on the sip and chat flyer. The sip and chat event was held on May 26, 2020. By not mentioning me, AP Yesnick once again showed her lack of respect towards women of color not only to myself but to Ms. Purvis. In addition, Madeline Bodnar who was previously mentioned as being a Caucasian teacher, had no problem taking full credit for work that was done by an African American colleague, even though she was fully aware that she did not do any work pertaining to the sip and chat event. Unfortunately, Ms. Bodnar is another employee at the school, who has also previously disregarded the expertise of Ms. Purvis.
- 18.) Based on the information above, I believe I was racially discriminated against at my prior school. As a remedy, I am requesting removal of the poorly rated observations dated November 22, 2019 and January 9, 2020 from both my personnel file and the Advance NYCDOE website, as well as the removal of the unjustified disciplinary letter and the rebuttal letter from my file, and any other relief appropriate for this situation.